

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS

**69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the**

**S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**

**1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405**

REGULATORY DIVISION

Refer to: P/N #2004-1W-323-P (Revised)

16 DECEMBER 2005

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

SC DEPARTMENT OF TRANSPORTATION

ATTN.: MR. LELAND COLVIN, P.E.

212 HUGER STREET

CHARLESTON, SOUTH CAROLINA 29403-4516

to modify a permit to include placement of fill material in waters of the

TOWN CREEK OF THE COOPER RIVER

at locations in and around the footprint of the Grace Memorial and Silas Pearman Bridges over Town Creek on US Route 17 North between the City of Charleston and the Town of Mt. Pleasant, Charleston County, South Carolina (Latitude 32.80211°, Longitude 79.90585°)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 2 JANUARY 2006

from those interested in the activity and whose interests may be affected by the proposed work.

As a modification to the existing permit for demolition of the Grace Memorial Bridge and the Silas Pearman bridges mentioned above, the SC Department of Transportation proposed to construct temporary causeways to allow equipment access for certain demolition activities. The proposed project consists of placing concrete bridge rubble in the waters of Town Creek for the purpose of constructing temporary access causeways. Construction of three temporary

causeways will allow equipment access to facilitate the mechanical demolition of Pier P2 on the Charleston side of Town Creek of the Grace Memorial Bridge and Piers T2 and T3 on the Charleston and Drum Island sides of the Silas N. Pearman Bridge, respectively. All of the material associated with these causeways will be removed from this portion of Town Creek before the close of this demolition project.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would temporarily impact 0.82 acre of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any Federally listed or proposed to be listed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register

16 DECEMBER 2005

constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands,

historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

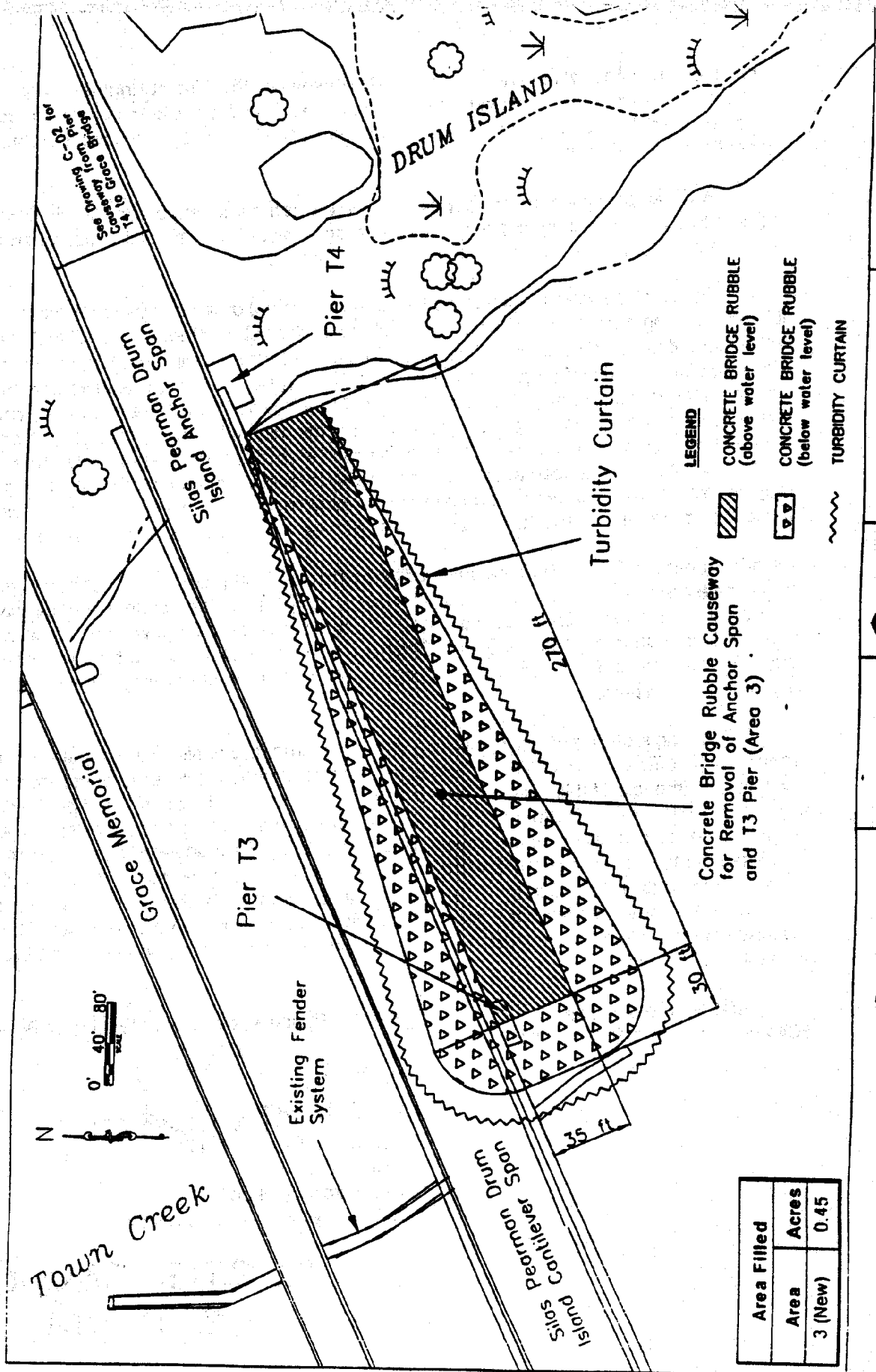
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

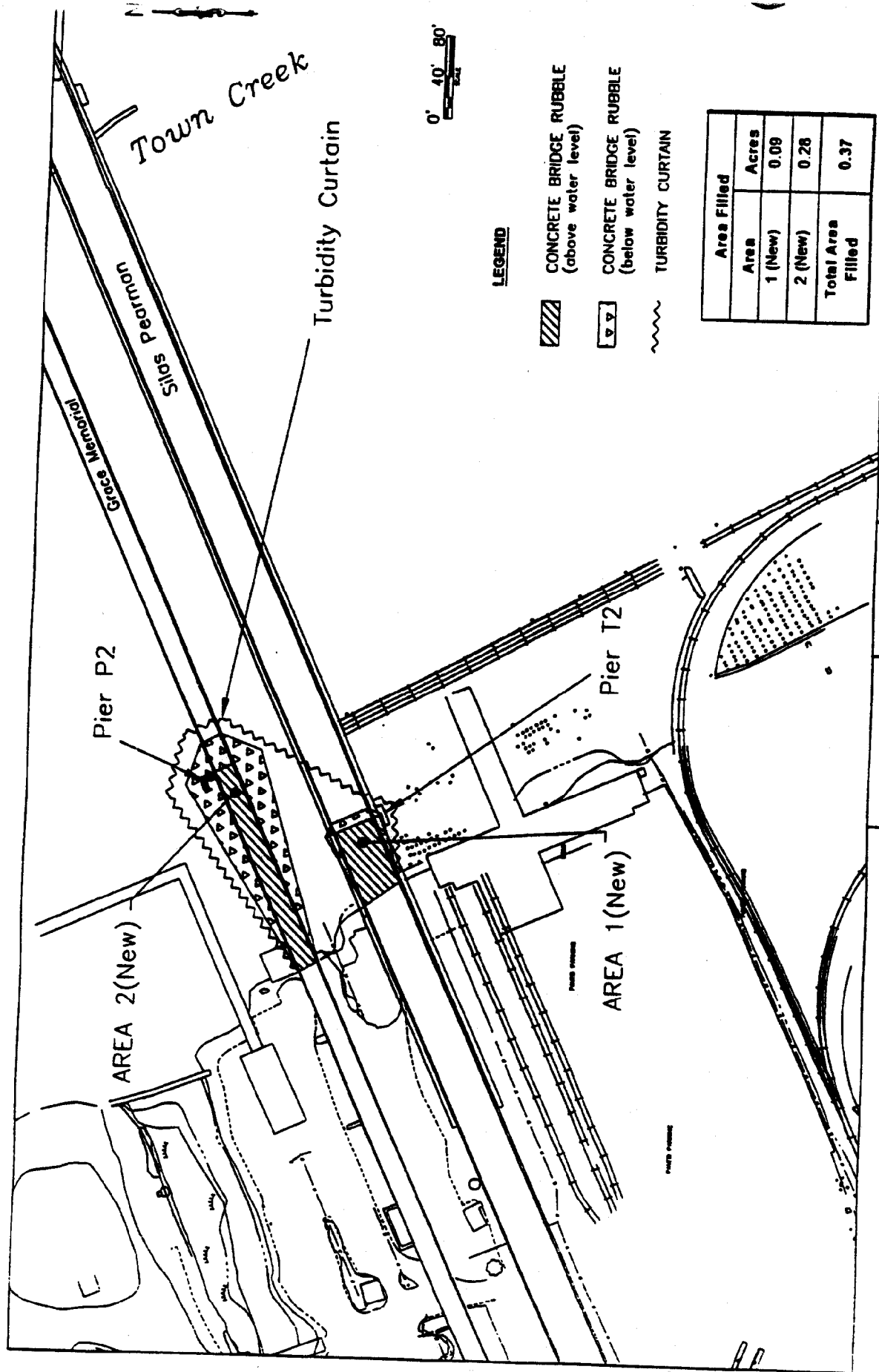
If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Richard L. Darden, Ph.D.
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

CURTIS JOYNER
FOR OCRM





EarthTech
A Terra International LLC Company

W.M. ERIKSON
INCORPORATED
A 2001 FORTUNE 500 COMPANY

CH2M HILL
CONSTRUCTION
A 2001 FORTUNE 500 COMPANY

Division of the State Department of
and the State Department of
Corporation
a 2001 FORTUNE 500 COMPANY
South Carolina Department of Transportation (SCDOT)

**SEDIMENT AND EROSION
CONTROL PLAN**

11/17/2005

C-09